

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**LORI WAKEFIELD, individually and on  
behalf of a class of others similarly situated,**

Plaintiffs,

v.

**VISALUS, INC.,**

Defendant.

Case No. 3:15-cv-1857-SI

**ORDER**

**Michael H. Simon, District Judge.**

The Court has not yet reached a decision on Defendant's Motion to Decertify the Class. ECF 306. Plaintiff is directed to file by August 7, 2019, a sur-reply to Defendant's Supplemental Reply Brief in Support of Motion to Decertify the Class (ECF 335) specifically addressing the issue of waiver. Additionally, Plaintiffs are directed to advise the Court, if the Court were to find no waiver, and if the Court were to agree with Defendant's interpretation of the FCC order, whether a new trial on all calls made after October 7, 2015 would be appropriate.

**IT IS SO ORDERED.**

DATED this 31st day of July, 2019.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge